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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,341	04/02/2001	Jean-Marie Stawikowski	205083US2X	1725

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EXAMINER	
NGUYEN, THANH T	

ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 09/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/822,341	STAWIKOWSKI ET AL.	
	Examiner	Art Unit	
	Tammy T Nguyen	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *(3)* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 April 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4/2/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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Detailed Office Action

1. This action is in response to the application **09/822,341** filed. **April 2, 2001.**

2. Claims **1-8** have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Geiger et al. (USPN 6,463,534– Date of Patent: October 8, 2002, herein referred to as "Geiger").

5. As to claim 1, Geiger teaches the invention as claimed, including a system for accessing programmable automatism unit (10) based on WAP architecture, for least a standalone communicating mobile device (40), such as a portable telephone, which integrates a navigator (41) complying with WAP architecture, wherein the automatism unit (10) includes one or several pieces of automatism equipment, characterized by the fact that this system includes: Web server (20), embedded in piece automatism equipment the automatism unit (10), capable of generating static or dynamic informative data coded according to the WML language, whereby such informative data may provide functions for monitoring, viewing and controlling the automatism unit (Fig.1, and col.11, lines 50-55); -a network interface (30), connected the Web server (20) by a global network (25) of the Internet, Intranet or Extranet type which authorizes access said informative data from the WAP navigator (41) of a communicating mobile device through wireless network (35), in such a way that a user of such a WAP navigator (41) may access functions for monitoring, viewing and controlling the automatism unit (10) (Fig.1 clearly shows Global network with wireless network 19 and PSTN, also in column 1, lines 35-65 and col.2, lies 54-67).

6. As to claim 2, Geiger teaches the invention as claimed, characterized by fact that network interface (30) comprises a WAP gateway (31) which, upon receiving from the Web server informative data according to WML source contents, transforms them into compiled WML contents before transmitting them to communicating mobile device (40) (col.9, lines 1-9).

7. As to claim 3, Geiger teaches the invention as claimed, wherein the automatism unit comprises least an industrial automaton having central processing unit, characterized by the fact that the Web server either embedded in the central processing unit of the automaton or embedded in an automaton module connected to the central processing unit of the automaton (11) (Fig.1, automaton module 10 connected to the wireless device 11).

8. As to claim 4, Geiger teaches the invention as claimed, wherein the automatism unit (10) comprises several industrial automata (11) having central processing unit and access a local or global automatism network (15), characterized by the fact that the Web server (20) is connected to the automatism network (15) in order to be able to communicate with the central processing units of these automata (11) (Fig.1 shows web ser 16 could communication with wireless device 11).

9. As to claim 5, Geiger teaches the invention as claimed, characterized by the fact that the Web server (20) may receive through network interface (30), WAP command (33) as a HTTP request specifying a URL address optionally associated with parameters which may notably contain complementary requests and, on answering this WAP command, the Web server (20) generates static or dynamic informative data in WML languages which may provide the user of a WAP navigator (41) implemented communicating mobile device (40), with functions

for monitoring, viewing and controlling the automatism unit (10) (col.11, lines 50-55).

10. As to claim 6, Geiger teaches the invention as claimed, characterized by the fact that the Web server (20) may send, on its own initiative or on the initiative of the automatism unit (10) notification (22) to at least a communicating mobile device (40) by using the "Push Access Protocol" as defined in WAP architecture, so that the user of a WAP navigator (41) implemented in a communicating mobile device may be informed on events or conditions concerning the automatism unit (col.7, lines 35-50, and col.6, lines 25-30).

11. As to claim 7, Geiger teaches the invention as claimed, characterized by the fact that the Web server (20) includes in the notification (22) a list of addressees which stems from an addressee directory stored a local memory or in a remote memory on the global network (25) (Fig.1 shows global network).

12. As to claim 8, Geiger teaches the invention as claimed, including a programmable automatism unit characterized by the fact that it enables least a mobile device (40) communicating through wireless network (35) and integrating a WAP navigator (41), access functions for monitoring, viewing and controlling the automatism unit (10) according to any of the preceding claims (Fig.4 shows control of viewing by wireless gateway).

Conclusion

13. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(703) 305-7982**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 6:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Bill Cuchlinski, may be reached at **(703) 308-3873**.

TTN
September 1, 2004

WILLIAM A. CUCHLINSKI, JR.
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